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MEMORANDUM

June 15, 1972

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TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

2233

Hearing Date: 8/22/72 Petition No. Z-2489  
Peter P. Papesch & William F. Jeffery, Jr.  
52 Delle Avenue, Roxbury

Petitioner seeks a forbidden use and four variances for a change of occupancy from three to five families in an apartment (H-1) district. The proposal violates the code as follows:

	<u>Reg'd</u>	<u>Proposed</u>
Section 8-7.	Any dwelling converted for more families and not meeting the requirements of lot area and open space is forbidden in an H-1 district.	
Section 14-1.	Lot area is insufficient. 5000 sf	2818 sf
Section 14-2.	Lot area for additional unit is insufficient.	1000 sf/du 0
Section 15-1.	Floor area ratio is excessive.	1.0 1.1
Section 17-1.	Open space is insufficient.	400 sf/du 365 sf/du

The property, located on Delle Avenue near the intersection of Burney Street, contains a three story frame structure. The multiple violations indicate an unreasonable density and severe overcrowding of the dwelling. There are no provisions for any off street parking. The neighborhood is opposed to increasing the number of conversions to smaller units. Recommend denial.

VOTED: That in connection with Petition No. Z-2489, brought by Peter P. Papesch & William F. Jeffery, Jr., 50 Delle Avenue, Roxbury, for a forbidden use and four variances for a change of occupancy from three to five families in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The multiple violations indicate an unreasonable density and severe overcrowding of the dwelling. There are no provisions for any off street parking. There is neighborhood opposition to increase in density through conversion to smaller units.



Board of Appeal Referrals 6/15/72

Hearing Date: 7/11

Petition No. Z-2510  
Portland Street Realty Trust  
Charles Doe, Trustee  
232-234 Friend Street, Boston

Petitioner seeks a conditional use and a variance for a change of occupancy from mercantile to a restaurant and four apartments in a light manufacturing (M-4) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A multi-family dwelling is conditional in an M-4 district.		
Section 23-1. Off street parking is insufficient.	4 spaces	0

The property, located on Friend Street near the intersection of Causeway Street, contains a three-story structure. The restaurant - bar is existing. The staff recommends the following conditions: that the petitioner show proof to the Board of Appeal the provision, through purchase or lease, of eight off-street parking facilities (two for residential units, six for restaurant); that floor plans for residential units be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2510, brought by Portland Street Realty Trust, 232-234 Friend Street, Boston, for a conditional use and a variance for a change of occupancy from mercantile to a restaurant and four apartments in a light manufacturing (M-4) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the petitioner show proof to the Board of Appeal the provision, through purchase or lease, of eight off-street parking facilities (two for residential units, six for restaurant); that floor plans for residential units be submitted to the Authority for design review.

Z-2510  
232-234 FRIEND ST.  
(B. P.)

Board of Appeal Referrals 6/15/72

Hearing Date: 6/20

Petition No. Z-2511

Monuhills VFW Post #5592, Inc.

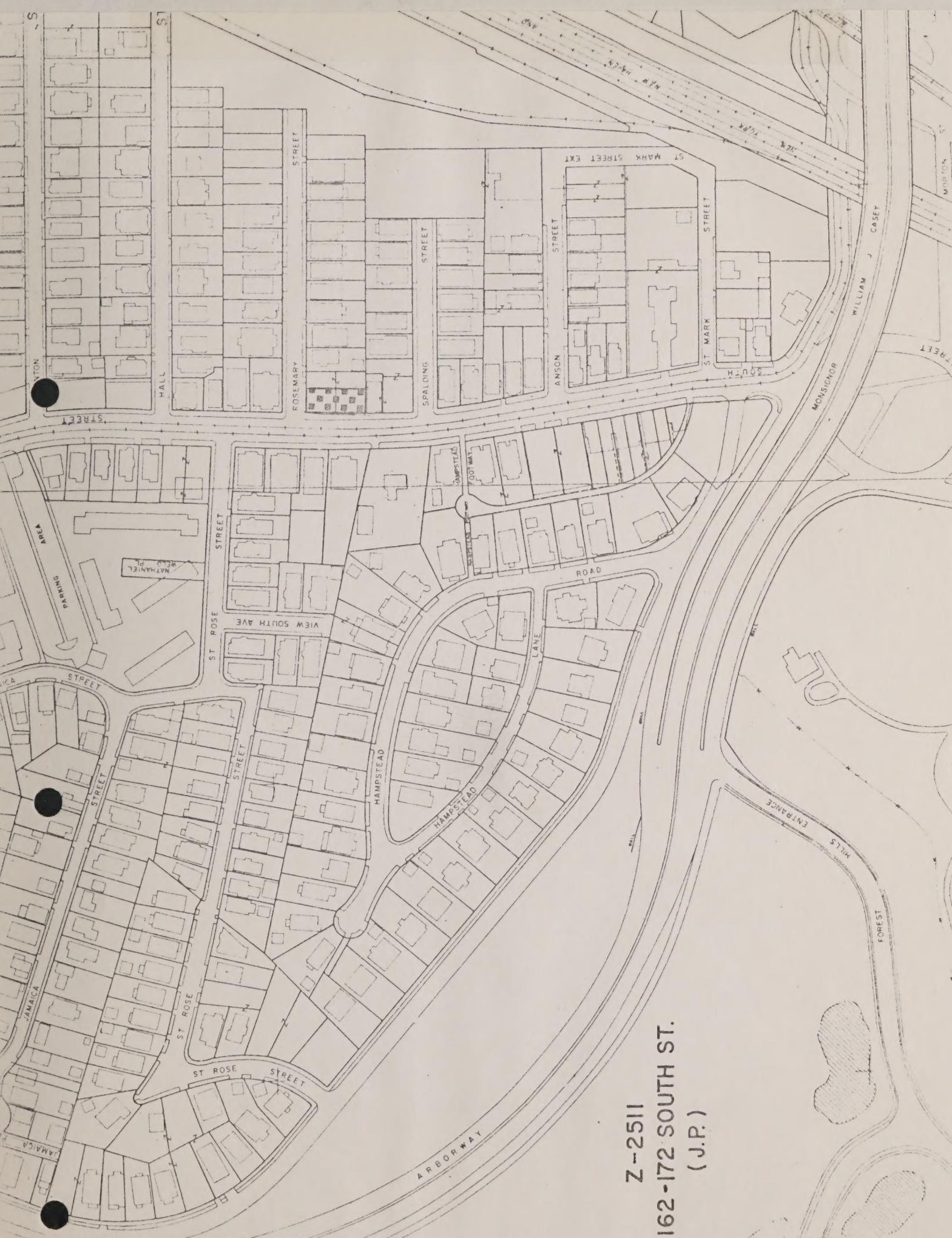
162-172 South Street, Jamaica Plain

Petitioner seeks a conditional use and two variances to legalize an occupancy for a veterans post and store in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A private club is conditional in an R-.8 district.		
Section 15-1. Floor area ratio is excessive.	.8	1.1
Section 23-2. Off street parking is insufficient.	35 Spaces	0

The property, located on South Street at the intersection of Rosemary Street, contains a one story structure. The veterans post is presently vacant and boarded up; a dry cleaner's shop occupies the remainder of this commercial facility. The staff recommends the following conditions: that plans for signs and exterior design of the entire South Street and Rosemary Street frontage be submitted to the Authority for design review; that the petitioner confirm in writing to the Board of Appeal the provision of space, either through purchase or lease, for the required off street parking. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2511, brought by Monuhills VFW Post #5592, 162-172 South Street, Jamaica Plain, for a conditional use and two variances to legalize an occupancy for a veterans post and store in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans for signs and exterior design of the entire South Street and Rosemary Street frontage be submitted to the Authority for design review; that the petitioner confirm in writing to the Board of Appeal the provision of space, either through purchase or lease, for the required off street parking.



162-172 SOUTH ST.  
Z-2511  
(44)

Board of Appeal Referrals 6/15/72

Hearing Date: 6/27

Petition No. Z-2512  
Suffolk University  
32 Derne & 42-46 Hancock Streets  
Boston

Petitioner seeks a conditional use for a change of occupancy from a printing plant to a printing plant and university in an apartment (H-2-65) district. The proposal violates the code as follows:

Section 8-7. A university granting degrees by authority of the Commonwealth of Massachusetts is conditional in an H-2 district.

The property, located at the intersection of Derne and Hancock Streets, contains a five story structure. In addition to the existing use, it is proposed to install classrooms and university administrative offices. The staff recommends that Suffolk University use its best efforts to make the proposed additional space available to students who plan to remain Massachusetts residents, and that the petitioner enter into an agreement with the nearby Government Center garage to supply at least one parking space for every fourth day student, and that any alterations to the building be subject to design review by the Authority. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2512, brought by Suffolk University, 32 Derne & 42-46 Hancock Streets, Boston, for a conditional use for a change of occupancy from a printing plant to a printing plant and university in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval provided that Suffolk University use its best efforts to make the proposed additional space available to students who plan to remain Massachusetts residents; and that the petitioner enter into an agreement with the nearby Government Center garage to supply at least one parking space for every fourth day student; and that any alterations to the building be subject to design review by the Authority.

Z-2512  
32 DERNE ST  
42-46 HANCOCK ST.  
(B. P.)



Hearing Date: 10/3

Petition No. Z-2514  
Rocco Magni  
344 Market Street  
Brighton

Petitioner seeks an extension of a non-conforming use and five variances to erect two additions to a one family dwelling and and funeral home in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 9-2.	An extension of a non-conforming use requires a Board of Appeal hearing.	
Section 14-2.	Lot area for additional unit is insufficient.	3000 sf/du      1082 sf/du
Section 15-1.	Floor area ratio is excessive.	.5      .56
Section 18-1.	Front yard is insufficient.	25 ft.      0
Section 19-1.	Side yard is insufficient.	10 ft.      .2 ft.
Section 23-4.	Off street parking is insufficient.	6 spaces      0

The property, located on Market Street near the intersection of Sparhawk Street, contains a two story frame structure. A two story addition would be constructed at the front and right side of the structure and a one story addition at the rear. These excessive commercial extensions would eliminate an existing 20 foot front yard and impair the appearance of the structure. No provisions have been made to supply much needed off-street parking facilities. Recommend denial.

VOTED: That in connection with Petition No. Z-2514, brought by Rocco Magni, 344 Market Street, Brighton, for an extension of a non-conforming use and five variances to erect two additions to a one family dwelling and funeral home in a residential (R-.5) district, the Boston Re-development Authority recommends denial. These excessive commercial extensions would eliminate an existing 20 foot front yard and impair the appearance of the structure. No provisions have been made to supply much needed off-street parking facilities.



Board of Appeal Referrals 6/15/72

Hearing Date: 8/22

Petition No. Z-2516  
Hyman & Helen Reznick  
5 Courtney Road  
West Roxbury

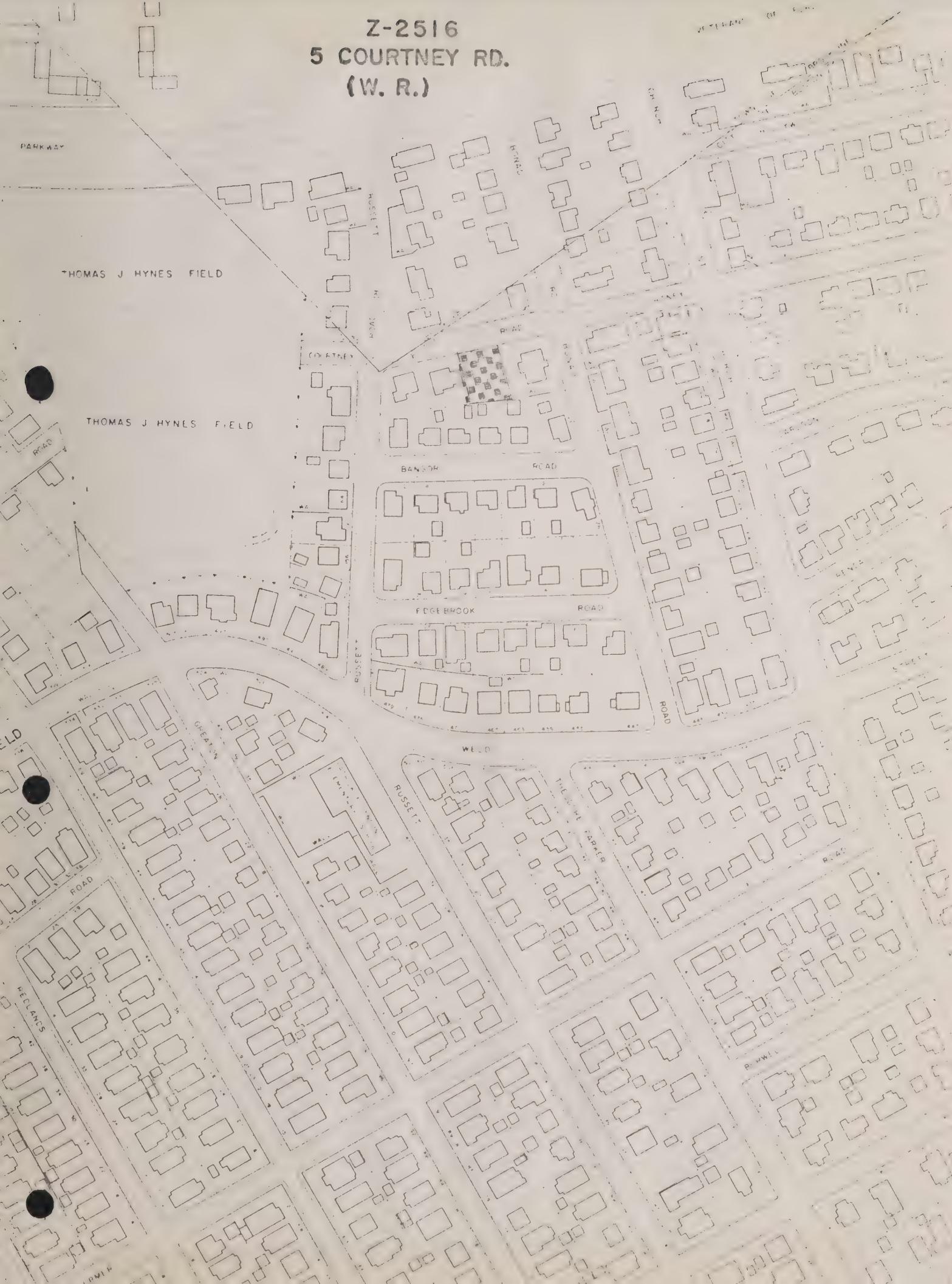
Petitioner seeks a forbidden use for a change of occupancy from a single family dwelling to a single family dwelling and kennel in a single family (S-.5) district. The proposal violates the code as follows:

Section 8-7. A kennel is forbidden in an S-.5 district.

The property, located on Courtney Road near the intersection of Bonad Road, contains a two story frame structure. A proposed kennel use would be inimical to and have a disturbing affect on this single family residential neighborhood. Increased traffic and on street parking generated by such use would be undesirable. Recommend denial.

VOTED: That in connection with Petition No. Z-2516, brought by Hyman & Helen Reznick, 5 Courtney Road, West Roxbury, for a forbidden use for a change of occupancy from a single family dwelling to a single family dwelling and kennel in a single family (S-.5) district, the Boston Re-development Authority recommends denial. A kennel use would be inimical to and have a disturbing affect on this single family residential neighborhood. Further, accompanying traffic and on street parking generated by such use would be undesirable.

Z-2516  
5 COURTNEY RD.  
(W. R.)



Board of Appeal Referrals 6/15/72

Hearing Date: Petition No. Z-2520  
Eddie Dixson  
428 Columbia Road, Dorchester

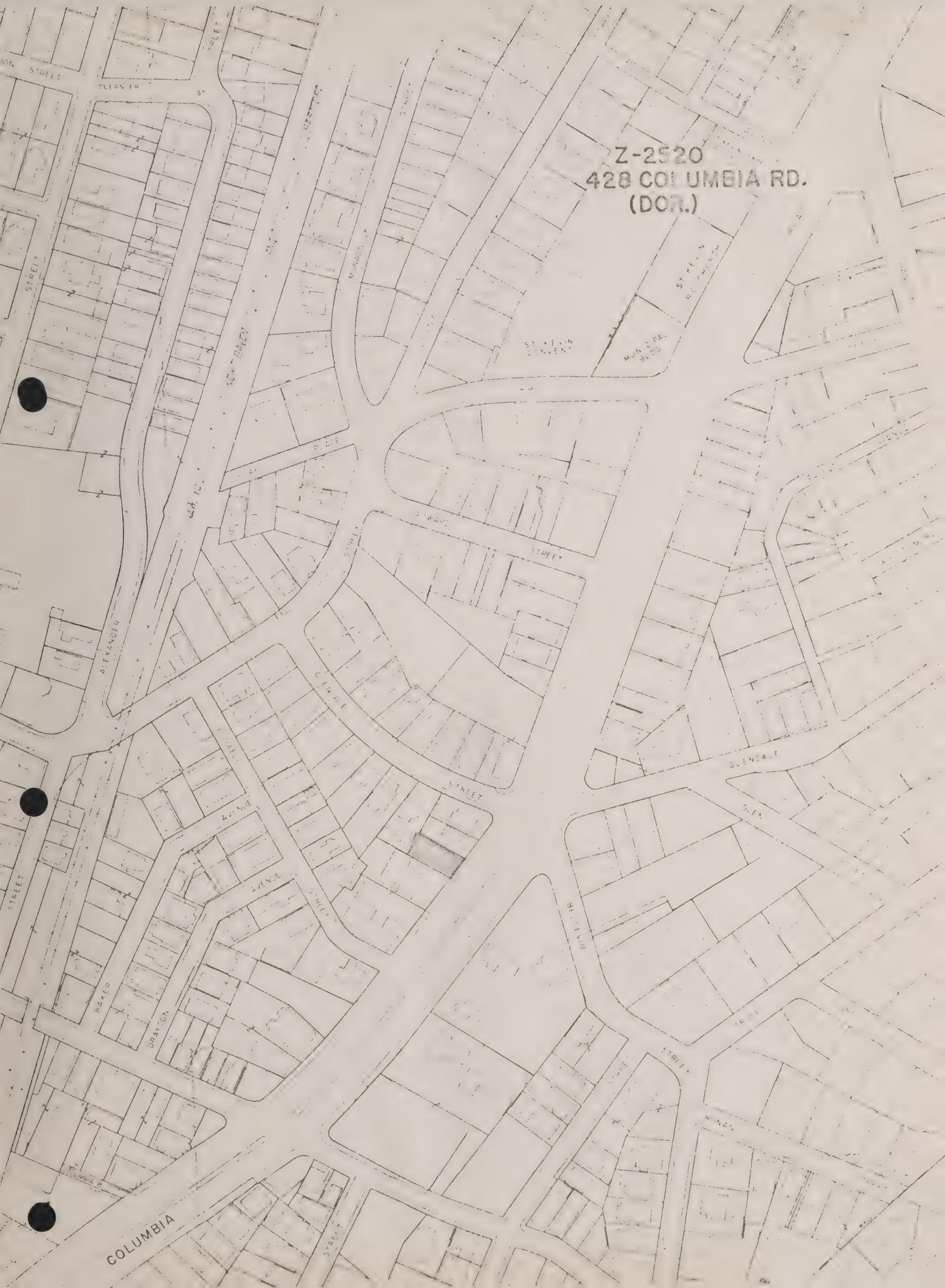
Petitioner seeks a forbidden use and two variances for a change of occupancy from a one family dwelling to a one family dwelling and office in an apartment (H-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A contractor's office is forbidden in an H-1 district.		
Section 11-1. Size of sign is excessive.		
Section 18-1. Front yard is insufficient.	20 ft.	12 ft.

The property, located on Columbia Road near the intersection of Glendale Street, contains a 2½ story frame structure. The petitioner proposes to operate a moving and trucking business and attach a 4' x 5' advertising sign to the front of the dwelling. This is an unnecessary and undesirable commercial encroachment into a viable residential area. The proposal is not in accord with conditions required for a variance under Section 7-3 of the code. Recommend denial.

VOTED: That in connection with Petition No. Z-2520, brought by Eddie Dixson, 428 Columbia Road, Dorchester, for a change of occupancy from a one family dwelling to a one family dwelling and office in an apartment (H-1) district, the Boston Redevelopment Authority recommends denial. This is an unnecessary and undesirable commercial encroachment into a viable residential area. The proposal is not in accord with conditions required for a variance under Section 7-3 of the code.

Z-2520  
428 COLUMBIA RD.  
(D.C.L.)



Board of Appeal Referrals 6/15/72

Hearing Date: 9/12/72

Petitions Nos. Z-2521-2524  
J. & W. Realty Trust  
Patrick J. Walsh, Trustee  
37-39-39(R) Birchland Avenue,  
20 Birchland Terrace  
West Roxbury

Petitioner seeks six variances to erect three, one-family dwellings and to legalize the occupancy of an existing one family dwelling in a single family (S-.5) district. The proposal violates the code as follows:

<u>37 Birchland Avenue</u>	<u>Req'd</u>	<u>Proposed</u>
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Section 18-1. Front yard is insufficient.	25 ft.	22 ft.
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<u>39 Birchland Avenue</u>
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Section 14-1. Lot area is insufficient.	6000 sf	4600 sf
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Section 14-4. Street frontage is insufficient.	60 ft.	49 ft.
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Section 19-1. Side yard is insufficient.	10 ft.	9 ft.
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<u>39 Birchland Avenue (Rear)</u>
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Section 14-4. Street frontage is insufficient.	60 ft.	0
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<u>20 Birchland Terrace</u>
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Section 14-4. Street frontage is insufficient.	60 ft.	15 ft.
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The property, located on Birchland Avenue and Birchland Terrace, contains a 1½ story frame dwelling on approximately 28,000 square feet of land which would be subdivided into four lots. Elimination of lot #1 (39 Birchland Avenue) would allow for a widened driveway and the installation of a vehicular turn around. Recommend approval with proviso.

VOTED: That in connection with Petitions Nos. Z-2521-2524, brought by J & W Realty Trust, 37-39-39(R) Birchland Avenue and 20 Birchland Terrace, West Roxbury, for six variances to erect three one family dwellings and to legalize the occupancy of an existing one family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that lot #1 (39 Birchland Avenue) be eliminated to allow for a widened driveway and the installation of a vehicular turn around.

Z-2521-24  
37-39R BIRCHLAND AVE.  
20 BIRCHLAND TER.  
(W.R.)

Board of Appeal Referrals 6/15/72

Hearing Date: 8/29

Petitions Nos. Z-2526-2527  
Irving Saunders  
18 & 19 Arlington Street  
Boston

Petitioner seeks two variances for a change of occupancy from theatre, store and offices to eight apartments, theatre and store in a general business (B-4-70) district. The proposal violates the code as follows:

<u>18 Arlington Street</u>	<u>Req'd</u>	<u>Proposed</u>
Section 17-1. Open space is not provided.	50 sf/du	0
<u>19 Arlington Street</u>		
Section 17-1. Open space is not provided.	50 sf/du	0

The properties, located on Arlington Street near the intersection of Boylston Street, contain two, five-story buildings which would be combined into a single residential - commercial building. The staff recommends the following: that a five foot deep balcony/terrace platform be provided at the rear of each apartment; that at least four off street parking spaces be provided at a nearby facility. Recommend approval with provisos.

VOTED: That in connection with Petitions Nos. Z-2526-2527, brought by Irving Saunders, 18 & 19 Arlington Street, Boston, for two variances for a change of occupancy from theatre, store and offices to eight apartments, theatre and store in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval with the following provisos: that a five foot deep balcony/terrace platform be provided at the rear of each apartment; that at least four off street parking spaces be provided at a nearby facility.

Z-2526-27

OND  
18-19 ARLINGTOM ST.  
(B.P.)

